

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

RAEVON TERRELL PARKER,)
Plaintiff,)
v.) No. 4:24-cv-01468-MTS
STATE OF MISSOURI,)
Defendant.)

MEMORANDUM AND ORDER

This matter is before the Court on review of the file. On November 1, 2024, Plaintiff Raevon Parker filed a handwritten complaint titled “Civil Complaint of Ineffective Assistance of Counsel.” Doc. [1]. In his complaint, Plaintiff alleges ineffective assistance of counsel for his pending state criminal case, *State v. Raevon Terrell Parker*, No. 2322-CR02340-01 (22nd Jud. Cir.). *Id.* He seeks dismissal of his state charges, return of his seized property, and \$100,000 in damages. *Id.*

It is unclear whether Plaintiff intends to pursue his claim as a civil rights action under 42 U.S.C. § 1983 or as a basis for habeas relief under 28 U.S.C. § 2241. *See Dickerson v. Louisiana*, 816 F.2d 220, 224 (5th Cir. 1987) (explaining that pre-trial habeas petitions are properly brought under § 2241). In either case, the complaint is deficient because it was not submitted on a Court-approved form. *See* E.D. Mo. L.R. 2.06(A) (“All actions brought by self-represented plaintiffs or petitioners should be filed on Court-provided forms[.]”). Additionally, Plaintiff has neither paid the required filing fee nor sought leave to proceed without doing so.

For the foregoing reasons, the Court will order Plaintiff to file an amended pleading on the appropriate form. If Plaintiff intends to pursue his claim under § 1983, he shall pay the \$405 filing fee or submit a fully completed Application to Proceed in District Court without Prepaying Fees or Costs (MOED-0046), along with a certified copy of his St. Louis City Justice Center “trust fund account statement (or institutional equivalent)” for the six months immediately preceding the filing of his complaint. *See* 28 U.S.C. § 1915(a)(2); *Koenig v. Mo. Dep’t of Corr.*, 4:23-cv-01524-MTS, 2024 WL 277939, at *2 (E.D. Mo. Jan. 25, 2024). If he intends to pursue his claim under § 2241, he shall pay the \$5 filing fee or submit a fully completed Motion to Proceed in Forma Pauperis (MOED-0038). Failure to comply with this order will result in the dismissal of this action without prejudice and without further notice to Plaintiff.

Accordingly,

IT IS HEREBY ORDERED that the Clerk of Court shall mail to Plaintiff a copy of the following forms:

- Prisoner Civil Rights Complaint (MOED-0036)
- Petition under 28 U.S.C. § 2241 (AO-0242)
- Motion to Proceed in Forma Pauperis (MOED-0038)
- Application to Proceed in District Court without Prepaying Fees or Costs (MOED-0046)

IT IS FURTHER ORDERED that no later than Thursday, January 30, 2025,

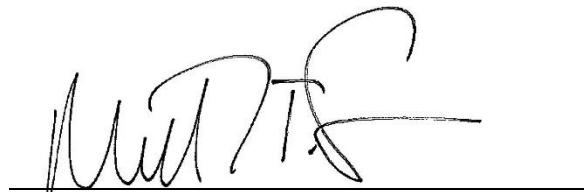
Plaintiff shall file an amended pleading on the appropriate form.

IT IS FURTHER ORDERED that no later than Thursday, January 30, 2025,

Plaintiff shall either pay the applicable filing fee or file an appropriate request to proceed without prepaying the fee, in accordance with the instructions herein.

IT IS FURTHER ORDERED that the Clerk of Court shall mail to Plaintiff three (3) copies of this Memorandum and Order so that Plaintiff may provide copies to the appropriate jail officials to assist him in obtaining a certified copy of his account statement.

Dated this 16th day of December 2024.



MATTHEW T. SCHELP
UNITED STATES DISTRICT JUDGE